

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. In particular, Applicant acknowledges and appreciates the allowance of claims 1-3, 5-7, 9-12, 15, 16, 18-32, 35, 36, 40-43, and 45-49. The application has been carefully reviewed in light of the Office Action, and further amended as necessary to place the remaining claims of the application in condition for allowance.

Allowed claims 1 and 15 are amended to correct minor informalities. Claims 14 and 33-34 are amended. Claims 50-51 are cancelled without prejudice or disclaimer.

Claims 14 is rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al. (U.S. Patent No. 6,249,740). Applicant respectfully requests withdrawal of the rejection for at least the following reasons. Claim 14 has been amended to incorporate the allowable subject matter of claim 1. Ito et al. does not disclose or teach an apparatus comprising at a transmitting side having a first digital map, means for selecting nodes in a target road section on the first digital map on a predetermined condition; means for generating road shape information including the selected nodes; means for transmitting the road shape information; at a receiving side having a second digital map, means for identifying positions of the selected nodes on the second digital map by matching the selected nodes on the second digital map based on the road shape information; and means for identifying the target road section on the second digital map by performing a route search between the identified positions of the nodes in the second digital map. Therefore, claim 14 is not anticipated by Ito et al. and the rejection should be withdrawn.

Claims 50 and 51 stand rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al. (U.S. Patent No. 6,542,816). Claims 50-51 have been canceled as indicated above, thereby obviating the rejection.


Claims 33 and 34 are rejected under 35 U.S.C. 103(a) for being unpatentable over Ito et al. (U.S. Patent No. 6,542,816) in view of Ito et al. (U.S. Patent No. 6,249,740 – referred to as “Ito et al. ‘740”). Applicant respectfully disagrees for at least the following reasons. Claim 33 has been amended to incorporate the allowable subject matter of claim 29; and claim 34 now depends from claim 33. As shown in amended claim 33, Ito et al. does not disclose an apparatus for providing position information indicating a target road section on a first digital map to a receiving side having a second digital map so that the receiving side can identify the target road section on the second digital map, which includes at a transmitting side having a first digital map, means for creating position information of the target road section, wherein said position information includes coordinate information of nodes selected from the target road section and at least a part of said nodes represent a shape of a predetermined section of the target road section; at a receiving side having a second digital map, means for identifying position of said predetermined section on the second digital map by using said shape; means for calculating a path of the other section on the second digital map; and means for identifying position of the target road section on the second digital map based on the identified position of said predetermined section and the calculated path.

Ito et al. ‘740 fails to cure the aforementioned deficiencies. Thus, claim 33 would not have been obvious to one of ordinary skill in the art at the time the invention was made by combining the cited documents.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-34825US1.

Respectfully submitted,
PEARNE & GORDON, LLP

By: /Deborah L. Corpus/ 
Deborah L. Corpus – Reg. No. 47,753

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: October 10, 2007